

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

THOMAS SAVOIE,

Plaintiff,

No. 3:10-cv-01580-AC

v.

COMMISSIONER OF SOCIAL
SECURITY,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation (#44) on February 29, 2016, in which he recommends that this Court grant Plaintiff's unopposed motion for attorney's fees under 42 U.S.C. § 406(b). The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate


Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Acosta's Findings & Recommendation [44]. Accordingly, Plaintiff's motion for attorney's fees pursuant to 42 U.S.C. § 406(b) [42] is granted. Plaintiff is awarded \$29,217 in fees. Because Plaintiff's counsel's prior fee award under the Equal Access to Justice Act was confiscated by the government and applied to Plaintiff Savoie's child support obligation, Plaintiff's counsel is entitled to the entirety of the \$29,217 awarded amount without any offset.

IT IS SO ORDERED.

DATED this 13 day of April, 2016.


MARCO A. HERNANDEZ
United States District Judge